

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1236 of 2025

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1. Binod Kumar son of Satya Narayan Singh, Resident of Village/Mohalla-Alauli, Police Station-Khagaria, District- Khagaria.
 2. Vivekanand Suman Son of Nageshwar Prasad Resident of Village/Mohalla-Ward No.6, Thatha Police Station-Monsi, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, New Secretariat, Patna.
2. The Director Primary Education, Government of Bihar, New Secretariat, Patna.
3. The District Magistrate, Khagaria.
4. The District Education Officer, Khagaria.
5. The District Programme Officer (Establishment), Khagaria.

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms. Sweta Raj, Advocate
For the Respondent/s : Government Pleader-3

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-01-2025 Heard learned counsel for the parties.

2. The present writ petition has been filed for the following relief(s):-

“i. To direct the respondent authority to grant first financial Upgradation to the petitioners' w.e.f the completion of 12 years of service on the post of Assistant Teacher in light of the orders passed by this Hon'ble Court contained in Annexure-3 (series) application as the similarly situated. of the writ petitioners are

ii. To further direct the respondent authority to



grant the martic trained scale in their date of appointment with all consequential benefits to the petitioner.

(iii) And/or for any other appropriate relief(s) per the facts and circumstances of the case.

3. Learned counsel for the petitioners submits that the case of the petitioners is squarely covered by the judgment passed in LPA No. 756 of 2015 arising out of C.W.J.C. No. 6139 of 2007 dated 16.08.2017. Hence, the petitioners are entitled to the similar relief as per the State Litigation Policy under Clause 4(c) (1) which reads as follows:-

“4.C Covered Matters: 4.C (1). A good number of cases are from the category of similar cases. Each Government Department will aim to consider and settle the claim of the representationist/applicant-employee/citizen, if the claim is found covered by any decision of the Court. Many service matters of this nature, can be disposed of at the level of the Department itself without compelling the litigant to come to the Court. In this manner, the Government Departments would be acting as efficient litigants.

4. Considering the submissions made on behalf of the petitioners, the present writ application stands disposed of in light of the order passed in C.W.J.C. No. 6139 of 2007 dated 31.03.2011 and L.P.A. No. 756 of 2015 dated 16.08.2017 and



the State Litigation Policy as quoted above.

5. The benefit granted to the petitioner of the aforesaid C.W.J.C. No. 6139 of 2007 dated 31.03.2011, shall be extended to these petitioners within a period of six months from the date of making such representation before the competent authority.

6. Accordingly, the instant petition stands disposed of.

(Anjani Kumar Sharan, J)

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